



Sen. Don Harmon

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LRB094 06617 RXD 46913 a

1 AMENDMENT TO HOUSE BILL 511

2 AMENDMENT NO. _____. Amend House Bill 511, AS AMENDED, by
3 replacing everything after the enacting clause with the
4 following:

5 "Section 1. Short title. This Act may be cited as the
6 Mercury-Free Vaccine Act.

7 Section 5. Banned mercury-containing vaccines.

8 (a) Commencing January 1, 2006, a person shall not be
9 vaccinated with a mercury-containing vaccine that contains
10 more than 1.25 micrograms of mercury per dose.

11 (b) Commencing January 1, 2008, no person shall be
12 vaccinated with a vaccine or injected with any product that
13 contains, or prior to dilution, had contained as an additive,
14 any mercury based product, whether at preservative or trace
15 amount levels.

16 Section 10. Exemption. The Department of Public Health may
17 exempt the use of a vaccine from this Act if the Department
18 finds that an actual or potential bio-terrorist incident or
19 other actual or potential public health emergency, including an
20 epidemic or shortage of supply of a vaccine at a reasonable
21 cost that would prevent a person from receiving the needed
22 vaccine, makes necessary the administration of a vaccine
23 containing more mercury than the maximum level set forth in

1 subsection (a) or subsection (b) of Section 5 in the case of
2 influenza vaccine. The exemption shall meet all of the
3 following conditions:

4 (1) The exemption shall not be issued for more than 12
5 months.

6 (2) At the end of the effective period of any
7 exemption, the Department may issue another exemption for
8 up to 12 months for the same incident or public health
9 emergency, if the Department makes a determination that any
10 exemption is necessary as set forth in this Section and the
11 Department notifies the legislature and interested parties
12 pursuant to paragraphs (3), (4), and (5).

13 (3) Upon issuing an exemption, the Department shall,
14 within 48 hours, notify the legislature about any exemption
15 and about the Department's findings justifying the
16 exemption's approval.

17 (4) Upon request for an exemption, the Department shall
18 notify an interested party, who has expressed his or her
19 interest to the Department in writing, that an exemption
20 request has been made.

21 (5) Upon issuing an exemption, the Department shall,
22 within 7 days, notify an interested party, who has
23 expressed his or her interest to the Department in writing,
24 about any exemption and about the Department's findings
25 justifying the exemption's approval."